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Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Question of Western Sahara

Report of the Secretary-General

Summary

The present report, covering the period from 1 July 2017 to 30 June 2018, is submitted pursuant to General Assembly resolution 72/95. It provides a summary of the most recent report submitted by the Secretary-General to the Security Council on the situation concerning Western Sahara (S/2018/277), with information on subsequent developments added where appropriate.

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1. On 7 December 2017, the General Assembly adopted, without a vote, resolution 72/95 on the question of Western Sahara. The present report, covering the period from 1 July 2017 to 30 June 2018, is submitted in accordance with paragraph 7 of that resolution.

2. The Security Council addresses Western Sahara as a matter of peace and security, calling in successive resolutions for a "mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara". The Special Political and Decolonization Committee (Fourth Committee) of the General Assembly and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples address it as a Non-Self-Governing Territory and an issue of decolonization.

3. Pursuant to Security Council resolution 2351 (2017), the Secretary-General submitted a report to the Council on the situation concerning Western Sahara (S/2018/277) on 29 March 2018, describing the situation on the ground; the status and the progress of the political negotiations on Western Sahara; the implementation of that resolution; and the existing challenges to the operations of the United Nations Mission for the Referendum in Western Sahara (MINURSO), as well as steps taken to address them.

4. The situation in Western Sahara, as far as MINURSO was able to observe, remained generally calm during the reporting period. However, tensions between the parties, including on the unresolved issues concerning Guerguerat, as well as security concerns, continued.

5. In a letter dated 9 December 2017, the Secretary-General of the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente Polisario), Brahim Ghali, protested inter alia that the crisis in Guerguerat had not been resolved, that no United Nations expert mission had been deployed and that no concrete action had been taken by the United Nations to implement the provisions of resolution 2351 (2017). He warned that Frente Polisario would not "accept the continuation of this state of affairs".

6. The Guerguerat area remained calm and free of the presence of elements of either party for the reporting period until late December 2017, when a small group of Frente Polisario military briefly entered the buffer strip to deliver a message to MINURSO observers to the effect that Frente Polisario would be blocking a car rally scheduled to pass through the Territory to Mauritania. As at 4 January 2018, a small group of Frente Polisario elements had established what the Frente Polisario leadership described as a daylight-hour "monitoring post" inside the buffer strip. They subsequently clarified that they would not interfere with the race, but only observe it as it passed through, which they did.

7. Morocco strongly objected to the Frente Polisario presence. On 4 January 2018, MINURSO received advance notification from Morocco of the redeployment of 260 troops from Awsard to Bir Gandouz, about two hours from Guerguerat, to secure the race if necessary. On 9 January, MINURSO was informed of the troops' return to their initial location. MINURSO maintained dialogue with both parties and increased air patrols and the hours of operation of the temporary observation post in the area.

8. On 6 January, the Secretary-General expressed deep concern about recent increased tensions in Guerguerat, calling upon the parties to exercise maximum restraint and to avoid escalating tensions. He also called for regular civilian and commercial traffic not to be obstructed and for no action to be taken that might constitute a change to the status quo of the buffer strip. In a letter addressed to the Secretary-General of Frente Polisario and Morocco dated 5 January, he requested that

the parties refrain from actions that could undermine the efforts of his Personal Envoy for Western Sahara, Horst Köhler, to relaunch the political process, while also reiterating his commitment to the peaceful resolution of the conflict.

9. On 19 May, in response to increasing tensions between the parties, the Secretary-General called for maximum restraint to be exercised, in accordance with Security Council resolution 2414 (2018), and in order to maintain an environment conducive to the resumption of dialogue under the auspices of his Personal Envoy. It was further noted that no action should be taken that might constitute a change to the status quo.

10. On 6 November 2017, King Mohammed VI delivered an address to mark the forty-second anniversary of the Green March. He stated that Morocco remained committed to engaging in the political process in the current dynamic that the Secretary-General had called for and to cooperating with the Personal Envoy. He indicated that the engagement of Morocco rested on four established principles: (a) rejection of any solution other than the full sovereignty of Morocco over Western Sahara and its autonomy proposal; (b) all parties shouldering their responsibility to find a final solution; (c) respect for the Security Council as the only international body tasked with overseeing the settlement process; and (d) rejection of any "obsolete proposals designed to divert the settlement process from the set terms of reference". Morocco would not sit by and wait for the desired solution to be found, but rather press ahead with its endeavours to promote development in "[its] southern regions", including enabling them to be a link between Morocco and countries further south in Africa. Media reported that Frente Polisario had denounced the speech as a "denial of Morocco's commitments under the peace process".

11. On 16 August 2017, the Secretary-General announced his decision to appoint Horst Koehler (Germany) as his Personal Envoy, to replace Christopher Ross (United States of America), whose mandate had ended on 30 April. Mr. Koehler took up his functions on 8 September. The appointment was welcomed by the parties and neighbouring States, who pledged to support his efforts.

12. From 15 to 24 October, the Personal Envoy undertook his first visit to the region. He travelled to Rabat, Rabouni (Algeria), Tindouf (Algeria), Algiers and Nouakchott. In Rabat, he was received by King Mohammed VI, who welcomed the appointment and expressed his commitment to the negotiating process. The Prime Minister, Saadeddine Othmani, also expressed his support for the efforts of the Personal Envoy to resolve the conflict. The Minister for Foreign Affairs and International Cooperation of Morocco, Nasser Bourita, reiterated his country's continued commitment to a political solution to the conflict which is based on the Moroccan autonomy initiative of 2007. He stressed that the resolution of the conflict in Western Sahara would require Algeria to take on a more important role.

13. In Rabouni, the Personal Envoy met the Secretary-General of Frente Polisario, who reiterated the movement's unconditional commitment to a peaceful resolution of the conflict, while highlighting the suffering of the Sahrawi people, in particular the youth and those living in refugee camps. He called upon Morocco to return to the negotiation table without preconditions. The Personal Envoy also met the members of the Frente Polisario leadership, and representatives of women and youth.

14. During a visit to the Awsard refugee camp near Tindouf, the Personal Envoy witnessed the profound frustrations and emotions of a refugee population that continues to endure the consequences of a conflict that has lasted for far too long.

15. In Algiers, the Personal Envoy met the President of Algeria, Abdelaziz Bouteflika, the Prime Minister, Ahmed Ouyahia, and the Minister of State and Minister of Foreign Affairs, Abdelkader Messahel. The President emphasized his

country's continued support for any peaceful solution that was acceptable to Frente Polisario and respected their right to self-determination. In Nouakchott, my Personal Envoy met the President of Mauritania, Mohamed Ould Abdel Aziz, the Prime Minister, Yahya Ould Hademine, and the Minister for Foreign Affairs and Cooperation, Isselkou Ould Ahmed Izid Bih. All interlocutors reiterated the long-standing position of Mauritania of "positive neutrality", as well as their willingness to fully support the efforts of the Personal Envoy.

16. On 22 November, the Personal Envoy briefed the Security Council on his first visit to the region. He expressed cautious optimism, observing that he had witnessed a "certain yearning" for a solution among all interlocutors. Since his briefing to the Council, he has continued his dialogue with the leadership of the parties and neighbouring States. On 14 December, in substantively identical letters, he extended invitations to the parties to the conflict and the neighbouring States to hold bilateral in-depth consultations, to which they all responded positively.

17. Thus, on 25 and 26 January 2018, the Personal Envoy met the Secretary-General of Frente Polisario in Berlin. On 6 March, he held consultations with the Minister for Foreign Affairs and International Cooperation of Morocco in Lisbon. On 8 February, he met the Minister for Foreign Affairs and Cooperation of Mauritania in Berlin, and on 15 February, the Minister of State and Minister of Foreign Affairs of Algeria, also in Berlin.

18. The Personal Envoy also continued his consultations with the members of the Group of Friends on Western Sahara, namely, France, the Russian Federation, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States, as well as other interested stakeholders. From 9 to 18 January, he travelled to Addis Ababa, Brussels, Kigali, London and Paris to meet government representatives and interlocutors of the African Union and the European Union, including the Chairperson of the African Union Commission, Moussa Faki Mahamat, and the High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the European Commission, Federica Mogherini.

19. Public life in the refugee camps near Tindouf remained peaceful and free of major incidents, although frustrations continued among refugees about the stalemate in the political process. The steady decrease in humanitarian aid to the refugees remained of concern. A donor appeal was issued by the United Nations Resident Coordinator in Algeria in October 2017, with one already having been made by the World Food Programme in May. In July 2017, heavy winds caused damage to over 100 household shelters and a number of education facilities in the Dakhla refugee camp, resulting in a small number of injuries.

20. The Office of the United Nations High Commissioner for Refugees (UNHCR) and its partners continued to provide international protection and assistance to Sahrawi refugees living in the five camps near Tindouf. However, the consequences of underfunding on life-saving humanitarian assistance and the regular refugee programme were clearly visible. For example, UNHCR could provide an average of only 18 litres of drinking water per person per day, which is below the minimum standard of 20 litres. For humanitarian planning purposes, UNHCR deployed a technical mission in January 2018 to review the Sahrawi in-camp population figure on the basis of sectoral data.

21. From 22 to 28 October 2017, the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment visited Morocco to advise the Government on establishing a national detention monitoring body to inspect places of detention. During its visit, the Subcommittee assessed the treatment of persons deprived of liberty and the measures taken for their protection. During the

reporting period, Frente Polisario expressed readiness to cooperate with United Nations human rights mechanisms.

22. Landmines and other explosive remnants of war continue to endanger the lives of MINURSO military observers, civilian personnel and logistical convoys. As at 1 March 2018, 54 known cluster strike areas and 22 known minefields remained to be addressed east of the berm. Since its relocation on 1 September 2016, the MINURSO Mine Action Coordination Centre has operated from Tindouf.

23. On 1 December 2017, the Secretary-General announced the appointment of Colin Stewart (Canada) as his new Special Representative for Western Sahara and Head of MINURSO, to succeed Kim Bolduc (Canada), who had completed her assignment on 22 November.

24. As at 1 July 2017, owing to a direct threat of kidnapping against international personnel received in late June, patrolling east of the berm was restricted to a 100-kilometre radius from team sites. Normal patrolling activities continued west of the berm. Night operations on both sides of the berm remained suspended. MINURSO also immediately implemented additional precautionary measures and accelerated the reinforcement of the physical and operational security infrastructure at all nine team sites. In its budget for the period from 1 July 2018 to 30 June 2019 (A/72/731), the Mission proposed the acquisition of protective bunkers for all team sites east of the berm.

25. On 27 April 2018, the Security Council adopted resolution 2414 (2018), with 12 votes in favour and 3 abstentions (China, Ethiopia and Russian Federation). The Council thus extended the mandate of MINURSO for six months until 31 October 2018, emphasized the need to make progress towards a realistic, practicable and enduring political solution and called upon the parties to resume negotiations without preconditions and in good faith. It affirmed its full support for the intention of the Personal Envoy to relaunch the negotiations.

26. In June, an independent review of MINURSO was launched as part of the comprehensive review of peacekeeping operations that the Secretary-General initiated in late 2017. The review is expected to be completed in August.

27. Following the adoption of resolution 2414 (2018), the Personal Envoy undertook his second visit to the region, from 23 June to 1 July. He travelled to Algiers, Tindouf, Rabouni, Nouakchott, Rabat, Laayoune, Smara and Dakhla. The findings of the visit will be included in the report submitted to the Security Council pursuant to resolution 2414 (2018).

28. The Secretary-General is encouraged by the steps taken by his Personal Envoy to relaunch the political process since his appointment, and he welcomes his visit to the region. While all stakeholders reiterated long-held positions, the Secretary-General is encouraged that the Personal Envoy was able to hold discussions at the highest level throughout the region. The numerous private and public expressions of support for those efforts are also an important signal that a new dynamic is already in play.

29. To maintain the positive momentum, additional steps need to be taken by the parties, neighbouring countries and other relevant interlocutors. In its resolutions since the beginning of 2007, the Security Council has directed the Secretary-General to facilitate direct negotiations between the parties without preconditions, in good faith, taking into account the efforts made since 2006 and subsequent developments, working with realism and a spirit of compromise. The Council has also called upon the parties to show political will, work in an atmosphere favouring dialogue and discuss each other's proposals to prepare for a fifth round of formal negotiations. The Secretary-General calls upon the parties to continue to work with his Personal Envoy

in that new spirit and dynamic and to genuinely commit themselves to the negotiating process in accordance with the guidance provided by the Council in its resolutions.

30. The conflict over Western Sahara has lasted for far too long and must be brought to an end for the sake and the dignity of the population, including those who have been displaced for more than four decades, as well as for the stability of the wider region, which is facing myriad political, economic and security challenges. In that regard, the work of the Personal Envoy, MINURSO and of the United Nations agencies remains indispensable.